

**House File 2113 - Introduced**

HOUSE FILE 2113  
BY HANSON

**A BILL FOR**

1 An Act relating to the use of headlamps when a motor  
2 vehicle's windshield wipers are in use and making a penalty  
3 applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.235A, subsection 3, Code 2009, is  
2 amended to read as follows:

3 3. A person shall not operate an electric personal assistive  
4 mobility device at the times specified in section 321.384,  
5 subsection 1 unless the person or the electric personal  
6 assistive mobility device is equipped with a headlight visible  
7 from the front of the electric personal assistive mobility  
8 device and at least one red reflector visible from the rear of  
9 the electric personal assistive mobility device.

10 Sec. 2. Section 321.384, Code 2009, is amended to read as  
11 follows:

12 **321.384 When lighted lamps required.**

13 1. a. ~~Every~~ A motor vehicle ~~upon~~ operated on a highway  
14 ~~within the state,~~ shall display lighted headlamps as provided  
15 in section 321.415 at any time from sunset to sunrise, and at  
16 such other times when conditions such as fog, snow, sleet,  
17 or rain provide insufficient lighting to render clearly  
18 discernible persons and vehicles on the highway at a distance  
19 of five hundred feet ahead, ~~shall display lighted headlamps as~~  
20 ~~provided in section 321.415,~~ subject to exceptions under this  
21 chapter with respect to parked vehicles ~~as hereinafter stated.~~

22 ~~2. b.~~ Whenever A requirement is ~~hereinafter declared~~  
23 ~~as to~~ regarding the distance from which certain lamps and  
24 devices shall render objects visible or within which such  
25 lamps or devices shall be visible, ~~said provisions shall~~  
26 apply applies during the times stated in ~~subsection 1 of this~~  
27 ~~section upon~~ paragraph "a", on a straight, level, unlighted  
28 highway under normal atmospheric conditions unless a different  
29 time or condition is expressly stated.

30 2. A motor vehicle operated on a highway shall display  
31 lighted headlamps as provided in section 321.415 at any  
32 time the motor vehicle's windshield wipers are in continuous  
33 operation, subject to exceptions under this chapter with  
34 respect to parked vehicles. This subsection does not apply to  
35 a motor vehicle equipped with alternate road-lighting equipment

1 as described in section 321.418.

2 Sec. 3. Section 321.392, unnumbered paragraph 1, Code 2009,  
3 is amended to read as follows:

4 Every motor truck, and every trailer or semitrailer of over  
5 three thousand pounds gross weight, shall be equipped with the  
6 following lighting devices and reflectors in addition to other  
7 requirements of this chapter, and such devices shall be lighted  
8 at the times mentioned in section 321.384, subsection 1.

9 Sec. 4. Section 321.394, Code 2009, is amended to read as  
10 follows:

11 **321.394 Lamp or flag on projecting load.**

12 Whenever the load upon any vehicle extends to the rear four  
13 feet or more beyond the bed or body of such vehicle there  
14 shall be displayed at the extreme rear end of the load, at the  
15 times specified in section 321.384, subsection 1, a red light  
16 or lantern plainly visible from a distance of at least five  
17 hundred feet to the sides and rear. The red light or lantern  
18 required under this section shall be in addition to the red  
19 rear light required upon every vehicle. At any other time  
20 there shall be displayed at the extreme rear end of such load a  
21 red flag or cloth not less than sixteen inches square.

22 Sec. 5. Section 321.395, Code 2009, is amended to read as  
23 follows:

24 **321.395 Lamps on parked vehicles.**

25 Whenever a vehicle is parked or stopped upon a roadway  
26 or shoulder adjacent to the roadway, outside of a business  
27 district whether attended or unattended during the times  
28 mentioned in section 321.384, subsection 1, such vehicle shall  
29 be equipped with one or more lamps which shall exhibit a white  
30 or amber light on the roadway side visible from a distance  
31 of five hundred feet to the front of such vehicle and a red  
32 light visible from a distance of five hundred feet to the  
33 rear, except that local authorities may provide by ordinance  
34 or resolution that no lights need be displayed upon any such  
35 vehicle when stopped or parked in accordance with local parking

1 regulations upon a highway where there is sufficient light to  
2 reveal any person or object within a distance of five hundred  
3 feet upon such highway. Any lighted headlamps upon a parked  
4 vehicle shall be depressed or dimmed.

5 Sec. 6. Section 321.397, Code 2009, is amended to read as  
6 follows:

7 **321.397 Lamps on bicycles.**

8 Every bicycle shall be equipped with a lamp on the front  
9 exhibiting a white light, at the times specified in section  
10 321.384, subsection 1, visible from a distance of at least  
11 three hundred feet to the front and with a lamp on the rear  
12 exhibiting a red light visible from a distance of three hundred  
13 feet to the rear; except that a red reflector may be used in  
14 lieu of a rear light. A peace officer riding a police bicycle  
15 is not required to use either front or rear lamps if duty so  
16 requires.

17 Sec. 7. Section 321.398, Code 2009, is amended to read as  
18 follows:

19 **321.398 Lamps on other vehicles and equipment.**

20 All vehicles, including animal-drawn vehicles and including  
21 those referred to in section 321.383 not hereinbefore  
22 specifically required to be equipped with lamps, shall at the  
23 times specified in section 321.384, subsection 1, be equipped  
24 with at least one lighted lamp or lantern exhibiting a white  
25 light visible from a distance of five hundred feet to the front  
26 of such vehicle and, except for animal-drawn vehicles, with a  
27 lamp or lantern exhibiting a red light visible from a distance  
28 of five hundred feet to the rear. Animal-drawn vehicles shall  
29 be equipped with a flashing amber light visible from a distance  
30 of five hundred feet to the rear of the vehicle during the time  
31 specified in section 321.384, subsection 1.

32 Sec. 8. Section 321.405, Code 2009, is amended to read as  
33 follows:

34 **321.405 Self-illumination.**

35 All mechanical signal devices shall be self-illuminated when

1 in use at the times mentioned in section 321.384, subsection 1.

2 Sec. 9. Section 321.418, Code 2009, is amended to read as  
3 follows:

4 **321.418 Alternate road-lighting equipment.**

5 Any motor vehicle may be operated under the conditions  
6 specified in section 321.384, subsection 1, when equipped with  
7 two lighted lamps upon the front thereof capable of revealing  
8 persons and objects seventy-five feet ahead in lieu of lamps  
9 required in sections 321.409 and 321.415, or section 321.417,  
10 provided, however, that at no time shall it be operated at a  
11 speed in excess of twenty miles per hour.

12 EXPLANATION

13 This bill amends Code section 321.384 to require that a  
14 motor vehicle's headlamps be lighted at any time when the motor  
15 vehicle's windshield wipers are in continuous operation. The  
16 requirement is an addition to current law, which requires  
17 lighted headlamps from sunset to sunrise and when conditions  
18 such as fog, snow, sleet, or rain provide insufficient lighting  
19 to clearly see 500 feet ahead.

20 Because several existing Code sections refer to the times  
21 specified in Code section 321.384, the bill makes conforming  
22 amendments to limit the scope of the new requirement. As a  
23 result, the bill does not affect current provisions relating  
24 to the use of lighting on personal assistive mobility devices,  
25 bicycles, animal-drawn vehicles, parked vehicles, slow-moving  
26 vehicles, motor vehicles equipped with alternate road-lighting  
27 equipment, and implements of husbandry; the use of clearance  
28 and identification lights on motor trucks, trailers, and  
29 semitrailers; the use of lamps or flags on projecting loads; or  
30 the use of self-illuminated signal devices.

31 Pursuant to current law, a violation of motor vehicle  
32 headlamp requirements is a simple misdemeanor punishable by a  
33 scheduled fine of \$20.